

REMARKS

In response to the Office Action dated August 18, 2008, applicant submits the following amendments and remarks.

Claims 84-86, 88-92, and 94-147 are pending. Claims 84, 103, 106 and 127 have been revised. Reconsideration and allowance of the above-referenced application are respectfully requested in light of the following remarks.

Interview Summary

The Applicants thank Examiners Greene and Felton for the courtesy of an interview conducted on April 9, 2008. The time spent with the Applicants' representatives Arrienne Lezak and Kirk Gottlieb was greatly appreciated. During the interview, the claims were discussed in view of the prior art. No agreement was reached.

Section 103 Rejections

Claims 84-86, 87-92 and 94-147 are rejected under 35 USC 103(a) for allegedly being obvious over Wyman (US Patent 5,204,897) in view of Applicants Admitted Prior Art for the reasons set forth in section 10 of the 1/25/2007 Office action and further in view of In re Wolfe, 116 USPQ 443,444 (CCPA 1961). Applicants traverse these rejections.

Claims 84-86, 87-92 and 94-147 are rejected under 35 USC 103(a) for allegedly being obvious over Ross (US Patent 5,553,143) in view of Applicants Admitted Prior Art for the reasons set forth in section 11 of the 1/25/2007 Office action and further in view of In re Wolfe, 116 USPQ 443,444 (CCPA 1961). Applicants traverse these rejections.

The basis for the Examiner's 103 rejection of the pending claims is that "MILLIONS (51,274,000 households without internet access) of reasons to have the resources residing on an isolated computer and as such are motivation for and render obvious the instant invention." This statement, however, fails to address the language of the claims which describe how to license software resources for use by a software program when both the software program and the

software resources are included in the same software structure residing on a single computer. As stated in Applicants' previous responses, the cited prior art is directed to licensing schemes in a distributed computing environment where a software program running on one computer seeks access to resources residing on other computers. Thus the cited prior art teaches a centralized licensing server for managing resource access in a distributed computing environment.

To facilitate a notice of allowance, Applicants have amended claims 84, 106 and 127 to include the limitation "a license key derived from said one or more license terms." Support for these amendments is on pages 6 and 12 of the Specification.

None of the cited prior art references show or suggest the limitation quoted above. Accordingly, claims 84, 106 and 127, and all claims depending from these parent claims, are allowable over the cited prior art.

By responding in the foregoing remarks only to particular positions taken by the Examiner, the Applicants do not acquiesce with other positions that have not been explicitly addressed. In addition, the Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, the Applicants' decision to amend or cancel any claim should not be understood as implying that the Applicant agrees with any positions taken by the Examiner with respect to that claim or other claims.

Please apply the required fee of \$1,110.00 (Petition for Three-Month Extension of Time fee) and any other charges or credits to deposit account 06-1050.

Applicant : Garst et al.
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Respectfully submitted,

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/Kirk A. Gottlieb/

Kirk A. Gottlieb

Reg. No. 42,596

PTO Customer No. 26183

Fish & Richardson P.C.

Telephone: (650) 839-5070

Facsimile: (877) 769-7945

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